



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,093	06/30/2003	Mikio Watanabe	PA4954US	8138

21254 7590 06/24/2008
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER

DIEP, TRUNG T

ART UNIT	PAPER NUMBER
----------	--------------

2622

MAIL DATE	DELIVERY MODE
-----------	---------------

06/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/608,093	Applicant(s) WATANABE ET AL.	
	Examiner TRUNG DIEP	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This office action is in response to the election of species requirement for application 10/608,093 filed on 03/12/2008.

2. Applicant's election of species of figure 1 in the reply is acknowledged. Since all the claims are drawn in one species, the election requirement has been withdrawn and the election is thereby made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, -11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Noro et al. (US 6,646,677 B2) in view of Taniguchi Hiroyuki (JP2001344285) as cited by the Applicant.

As to claim 1, Noro et al. discloses in figure 5, an image management apparatus (disclosed camera operation device 20 for remotely controls the operation of the camera 16 via the LAN 10, figure 5, Col. 6, lines 56-67) comprising: photography instruction

Deleted: Claim Rejections - 35 USC § 102

<#>The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:¶

A person shall be entitled to a patent unless -¶

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.¶

¶

<#>Claim 8 is rejected under 35 U.S.C. 102 (b) as being anticipated by Noro et al. (US 6,646,677 B1).¶ As to claim 8, Noro et al. discloses in figure 5, an imaging apparatus (disclosed camera management system comprising a camera 16 and the camera management device 12 for image sensing, image and audio data controlling, and transmitting apparatus, figure 5, lines 38-67) comprising: imaging means for obtaining image data representing a subject by photography of the subject (disclosed camera 16 for sensing the object, figure 3, Col. 6, lines 52-55); reception means for receiving the photography instruction information from the image management apparatus defined in Claim 1 (disclosed communication controller 30 for controlling connections and data communications with an arbitrary camera operation device 20 via the LAN 10, figure 5, Col. 7, lines 3-5); display means for displaying information including the photography instruction information (disclosed still camera and/or video camera 16 has inherently a viewfinder or a LCD for displaying/recording an object or a scene image, Col. 1, lines 10-16); and storage means for storing the image data obtained by the imaging means according to the photography instruction information (disclosed storage unit 32 stores position information of an object to sense a specific object, and this position information includes the image sensing direction and zoom ratio, figure 5, Col. 7, lines 6-12).¶

Formatted: Bullets and Numbering

Deleted: -7 and 9

Formatted: Bullets and Numbering

information storage means for storing photography instruction information that indicates a subject to be photographed (disclosed a sequence of the stored program which is executed by the CPU of the camera operation device 20 for controlling the image sensing apparatus, and the data transmitting upon reception of the image data from the camera management 12, figures 5 and 10, Col. 3, lines 66-67, Col. 4, lines 1-8, Col. 7, lines 40-48, and Col. 10, lines 10-13); input means for receiving an input of image data obtained by the imaging apparatus according to the photography instruction information (disclosed communication controller 40 and storage unit 42 function as the input means receiving the image data obtained and sent over the LAN 10 by the camera management device 12, figure 3, Col. 7, lines 1-29); and storage means for storing the image data (disclosed storage unit 42 for storing various data including image and audio data received via LAN 10, figure 5, Col. 7, lines 27-29).

Nora et al. does not disclose the communication means for sending the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network.

Taniguchi Hiroyuki, cited by the applicant, discloses in figure 1, the disaster information center 121 comprising the receive section 122 which receives the damage information transmitted via the communication line 131. The image data transmitted via radio or a communication line from the Personal Digital Assistants (PDA) 111 and 112 (figure 1, [0015] and [0016]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the communication controller 40 of the Noro device as the same fashion as disclosed in the Hiroyuki device so as to obtain the receive section 122. In doing so, it would have improved data communication capability of the image management as being able to wirelessly communicate with the mobile communication and camera management device via a wireless communication network.

With regard to claim 2, Noro et al. in view of Taniguchi Hiroyuki discloses all basic limitations as discussed in claim 1. Taniguchi Hiroyuki further discloses the input means comprises means for receiving the input of the image data sent from the imaging apparatus via the wireless communication network (disclosed disaster information center 121 comprising the receive section 122 which receives the damage information transmitted via radio communication from the Personal Digital Assistants (PDA) 111 and 112 (figure 1, [0015] and [0016]).

With regard to claim 3, Noro et al. in view of Taniguchi Hiroyuki discloses all limitations as discussed in claim 1, except for the communication control means for comparing the image data stored in the storage means with the photography instruction information stored in the photography instruction information storage means, and for controlling the communication means so that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case

where the storage means does not have the image data corresponding to the photography instruction information.

Hiroyuki, cited by the applicant, discloses in figures 1-3, and 6, an accumulation means which accumulates the damage information received by the reception means is compared with the position information added to picture image data. The judging means which judges whether picture image data is the picture image data of which damage area and the display the related picture which the damage information on the damage area judged by the judging means and if it is not, the new photography instruction information can be inherently sent to the PDA requesting the new image picture be sensed. The combined functions of the judging means and the operator which acts as the communication control means, figures 1-3, and 6, [0005], [0027], and [0037]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the camera operation device of Noro as the same fashion as disclosed in the Hiroyuki device so as to obtain the communication control means. In doing so, it would have received the updated information and/or situation faster so the appropriate action can be accurately be taken.

With regard to claim 4, Noro et al. discloses all basic limitations as discussed in claim 1. Noro et al. further discloses the photography instruction information includes at least position information representing a position of the subject (disclosed the storage unit 32 also stores position information, sent from the camera operation device, of an

object to sense a specific object, and this position information includes the image sensing direction and zoom ratio. The sensed image data with the position information is then transmitted back to the camera operation device 20 via the LAN 10 and received image and audio data is stored in the storage unit 42, figure 5, Col. 7, lines 1-29).

With regard to claim 5, Noro et al. discloses all basic limitations as discussed in claim 1. Noro et al. further discloses the position detection means for detecting a position of the imaging apparatus, wherein the communication control means controls the communication means to send to the imaging apparatus the photography instruction information corresponding to the position of the imaging apparatus (disclosed control command is issued and stored in the storage unit 32 which the command includes the position information of an object to sense a specific object including the image sensing direction and zoom ratio. After the operation is completed, the sensed image data with the position information is then transmitted back to the camera operation device 20 via the LAN 10. Therefore, the camera operation device has inherently known the position of the camera prior to the generation of position information as to instruct, via the camera management device, the camera 16 what to do next, figure 5, Col. 7, lines 1-29).

With regard to claim 6, Noro et al. discloses all basic limitations as discussed in claim 1. Noro et al. further discloses the photography instruction information includes a photography process representing the type of the subject to be photographed and a

deadline for obtaining the image data (disclosed control commands sent from the camera operation control device 20, received and stored in the storage unit of the camera management device, instruct the image sensing processing such as sensing direction, the zoom ratio along with a specific object to be sensed, figures 4 and 11, Col. 7, lines 1-38, Col. 10, lines 28-67 and Col. 11, lines 1-21).

With regard to claim 7, Noro et al. in view of Taniguchi Hiroyuki discloses all basic limitations as discussed in claim 1. Taniguchi Hiroyuki further disclose the wireless communication network comprises one of a wireless LAN communication network, or a cellular phone network, or and a short range wireless communication network (disclosed radio communication for wirelessly transmitting the image data, figure 1, [0015] and [0016].

As to claim 8, Noro et al. discloses in figure 5, an imaging apparatus (disclosed camera management system comprising a camera 16 and the camera management device 12 for image sensing, image and audio data controlling, and transmitting apparatus, figure 5, lines 38-67) comprising: imaging means for obtaining image data representing a subject by photography of the subject (disclosed camera 16 for sensing the object, figure 3, Col. 6, lines 52-55); reception means for receiving the photography instruction information from the image management apparatus defined in Claim 1 (See the comments from claim 1); display means for displaying information including the photography instruction information (disclosed still camera and/or video camera 16 has

Art Unit: 2622

inherently a viewfinder or a LCD for displaying/recording an object or a scene image, Col. 1, lines 10-16); and storage means for storing the image data obtained by the imaging means according to the photography instruction information (disclosed storage unit 32 stores position information of an object to sense a specific object, and this position information includes the image sensing direction and zoom ratio, figure 5, Col. 7, lines 6-12).

With regard to claim 9, Noro et al. discloses all basic limitations as discussed in claim 8, except for the transmission means for sending the image data stored in the storage means to the image management apparatus via the wireless communication network.

Taniguchi Hiroyuki, cited by the applicant, discloses in figure 1, the Personal Digital Assistants (PDA) 111 and 112 having a digital still camera and a GPS receiver and is also provided with the transmission section 114. The transmission section 114 transmits image data and the added position information to the disaster information center 121 via radio or the communication line 131 (figure 1, [0014] and [0015]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the camera 16 of the Noro device as the same fashion as disclosed in the Hiroyuki device so as to obtain the transmission section 114. In doing so, it would have improved data communication capability of the camera management system by being able to wirelessly communicate with the camera operation device via a wireless communication network.

With regard to claim 10, Noro et al. in view of Taniguchi Hiroyuki discloses all basic limitations as discussed in claim 9, except the position information obtaining means for obtaining position information representing a position of an imaging apparatus; and transmission control means for controlling the transmission means to send the position information to the image management apparatus.

Taniguchi Hiroyuki, cited by the applicant, discloses in figure 1, the Personal Digital Assistant device 111 having a digital still camera and a GPS receiver, and a transmission section 114 for transmitting image data and added position information to the disaster information center 112 via a radio communication, figure 1, ([0014] and [0015]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the camera 16 of the Noro device as the same fashion as disclosed in the Hiroyuki device so as to obtain a GPS receiver and the transmission section 114. In doing so, it would have improved data communication capability of the camera management system by being able to wirelessly communicate with the camera operation device via a wireless communication network.

As to claim 11, Noro et al. discloses in figure 5, an image storage management system (disclosed image communication system, figure 5, Col. 6, lines 38-40) comprising: an image management apparatus (disclosed camera operation device 20 for remotely controls the operation of the camera 16 via the LAN 10, figure 5, Col. 6,

lines 56-67) comprising: photography instruction information storage means for storing photography instruction information that indicates a subject to be photographed (disclosed a sequence of the stored program which is executed by the CPU of the camera operation device 20 for controlling the image sensing apparatus, and the data transmitting upon reception of the image data from the camera management 12, figures 5 and 10, Col. 3, lines 66-67, Col. 4, lines 1-8, Col. 7, lines 40-48, and Col. 10, lines 10-13); input means for receiving an input of image data obtained by the imaging apparatus according to the photography instruction information (disclosed communication controller and storage unit 42 function as the input means receiving the image data obtained and sent over the LAN 10 by the camera 16 and the camera management device 12, figure 3, Col. 7, lines 1-29); and storage means for storing the image data (disclosed storage unit 42 for storing various data including image and audio data received via the LAN 10, figure 5, Col. 7, lines 27-29); and at least one imaging apparatus (disclosed camera 16 and the camera management device 12 for use in the image sensing, image data controlling, and the image transmitting apparatus, figure 5, lines 38-67) comprising: imaging means for obtaining image data representing a subject by photography of the subject (disclosed camera 16 for sensing the object, figure 3, Col. 6, lines 52-55); reception means for receiving the photography instruction information from the image management apparatus (disclosed communication controller 30 for controlling connections and data communications with an arbitrary camera operation device 20 via the LAN 10, figure 5, Col. 7, lines 3-5); display means for displaying information including the photography instruction information (disclosed still camera

and/or video camera 16 has inherently a viewfinder or a LCD for displaying/recording an object or scene image, Col. 1, lines 10-16); and storage means for storing the image data obtained by the imaging means according to the photography instruction information (disclosed storage unit 32 stores position information of an object to sense a specific object, and this position information includes the image sensing direction and zoom ratio, figure 5, Col. 7, lines 6-12).

Noro et al. does not disclose the communication means for sending the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network.

Taniguchi Hiroyuki, cited by the applicant, discloses in figure 1, the disaster information center 121 comprising the receive section 122 which receives the damage information transmitted via radio or the communication line 131 from the Personal Digital Assistants (PDA) 111 and 112. Furthermore, both of the Personal Digital Assistants having a digital still camera and a GPS receiver and is also provided with the transmission section 114 for transmits image data with added position information to the disaster information center 121 via radio or the communication line 131 (figure 1, [0014] and [0015] and [0016]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the image communication system of Noro as the same fashion as disclosed in the Hiroyuki device so as to obtain the receive section 122 and transmission section 114. In doing so, it would have improved data

communication capability of the image communication system as being able to wirelessly transmit and receive audio and image data between the camera system and the camera operation device.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Formatted: Bullets and Numbering

Shibata (US 6,356,303 B1) discloses a camera control device is arranged to recognize a relation between a desired state of a camera based on a camera control instruction issued and a current state of the camera, to calculate at least a transmission time required for transmission of information between the camera and the camera control device, and to form a camera control command on the basis of at least the calculated transmission time and the relation between the desired state and the current state of the camera.

Miura et al. (US 6,961,082 B2) discloses a video display control method comprises generating camera operation information concerning an operation of a camera operated by remote control, transmitting data of video captured by the camera and the camera operation information to a control apparatus via a network; and processing the data of the video based on the camera operation information to display an image of the video at the control apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRUNG DIEP whose telephone number is (571)270-5088. The examiner can normally be reached on Mon.,- Thur., 8:00 am,-5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trung Diep/
Examiner, Art Unit 2622

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622